



#11

Patent
Docket 2000/4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 22 2002

OFFICE OF PETITIONS

Application of: Vancura

United States Serial Number: 09/659,430

Filed: September 8, 2000

**Entitled: Methods and Apparatus for
a Casino Game**

Art Unit: 3711

Examiner: M. Aryanpour

Certificate of Mailing

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR 1.10 on the date indicated below addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Wanda Jacobson

EL373678927US

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April 17, 2002

Date of Deposit

Commissioner of Patents and Trademarks
Washington, DC 20231

Petition Under 37CFR 1.137(b)

In response to the notice of abandonment via telephone call of February 27, 2002 this petition is filed within the three months required.

For this 37 CFR 1.137(b) petition the required reply is submitted herewith and the petition fee as set forth in 37 CFR 1.17(m) is transmitted by a deposit account authorization. A statement that the entire delay in filing the reply was unintentional from the due date therefor until grant of this petition. A terminal

disclaimer is not required because the instant application was filed after June 8, 1995 and this petition is filed under 37 CFR 1.137(b).

The undersigned make a general statement that the delay for the entire period of abandonment was unintentional. Additional information follows to satisfy any Commissioner requirement about if the delay was unintentional.

The problem resulting in the delay

The Applicant's undersigned attorney explains the delay in responding to the request for the filing of formal drawings, dated May 21, 2001 attachment 1 received on May 21, 2001. Applicant filed by a proposed drawing amendment on August 27, 2001, attachment 2. That was approved in the Notice of Allowance and Issue Fee Due mailed September 21, 2001 and received by the assignee, Mikohn Gaming Corporation, on October 1, 2001 attachment 3. New formal drawings were requested therein under the Notice of Allowability, paragraph number 7(b). Attachments 1, 2 and 3 are true copies.

The Assignee Mikohn Gaming Corporation paid the issue fee, on October 1, 2001. The undersigned had not seen the Notice of Allowance and Issue Fee Due which was handled by Charles H. McCrea Jr., Executive Vice President and General Counsel of the assignee, Mikohn Gaming Corporation, when the issue fee paid.

The delay period

The undersigned attorney did not know that the second response to the office action filed on August 27, 2001 in the above-identified application had resulted in allowance. The undersigned attorney never saw the Notice of Allowance and Issue Fee Due mailed September 21, 2001 and received by the assignee, Mikohn Gaming Corporation, on October 1, 2001, attachment 3 or the new formal drawings request therein under the Notice of Allowability, paragraph number 7(b).

From the file for this application it appears that Charles H. McCrea Jr., Executive Vice President and General Counsel of the assignee, Mikohn Gaming Corporation, paid the issue fee on October 1, 2001. No formal drawings were sent before or with the payment of the issue fee.

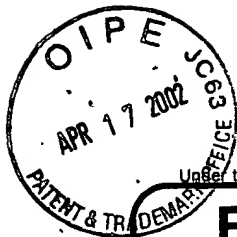
During the time between October 1, 2001 and February 2002 when the undersigned received a telephone call indicating abandonment on January 21, 2002, the undersigned believed that the response of August 27, 2001 had not been acted upon. The investigation began immediately after the telephone call and drawings were prepared for filing upon receipt, on April 5, 2002 of the written Notice of Abandonment. The undersigned did not know that the issue fee was paid and that no formal drawings had been filed. Delays in filing a timely reply before abandonment of the application and in filing this initial petition to revive were not deliberate as explained by the undersigned.

On behalf of the Applicant, the undersigned has made a bona fide attempt to advance the application to final action with a substantially complete reply to the non-final Office action with the formal drawings filed herewith. The undersigned on behalf of the Applicant request revival of the application and continued prosecution.

For the Applicant, the undersigned respectfully requests allowance of the petition.

Respectively submitted for Applicant,

Aaron Passman Reg. No. 26,783
Mikohn Gaming Corporation
P.O. Box 98686
Las Vegas, NV 89193-8686



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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)**1,240.00****Complete if Known**

Application Number	09/659,430
Filing Date	September 8, 2000
First Named Inventor	Vancura
Examiner Name	M. Aryanpour
Group Art Unit	3711
Attorney Docket No.	2000/4

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

500973

Mikohn Gaming Corp.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims		-20** =	X	
Independent Claims		-3** =	X	
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**1,240**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design Issue fee	
144	620	244	310	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) <u>Petition - unintentional</u>					1,240

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**1,240.00****SUBMITTED BY**Name (Print/Type) **Aaron Passman**Registration No.
(Attorney/Agent)

26,783

Complete (if applicable)Telephone **702-263-1613**

Signature

Date

4-17-02

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/659,430	
	Filing Date	September 8, 2000	
	First Named Inventor	Vancura	
	Group Art Unit	3711	
	Examiner Name	M. Aryanpour	
Total Number of Pages in This Submission	92	Attorney Docket Number	2000/4

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aaron Passman Mikohn Gaming Corporation
Signature	
Date	April 17, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 4-17-02	
Typed or printed name	Wanda Jacobson
Signature	Date April 17, 2002

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